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May 14, 2012

**BY E-FILING**

The Honorable Sue L. Robinson  
U.S. District Court for the District of Delaware  
844 N. King Street  
Wilmington, DE 19801

Re: CyberFone Systems LLC Litigations  
C.A. Nos. 11-827-SLR through 11-834-SLR,  
12-107-SLR, and 12-109-SLR through 12-120-SLR

Dear Judge Robinson:

I write on behalf of the defendants in the above-numbered cases to update the Court on proceedings that have occurred since the parties last appeared before Your Honor at the March 6, 2012 Scheduling Conference and to advise the Court of certain matters the defendants expect to raise at the status conference scheduled for 3:00 tomorrow.

CyberFone provided its Default Standard Paragraph 4(a) identifications on April 5, 2012. In doing so, CyberFone identified numerous new products for certain defendants. These new product identifications led to a meet and confer process between CyberFone and about 40 of the defendants. Ultimately, those defendants and CyberFone agreed, as to those defendants only, to extend their respective Default Standard deadlines by three weeks. As to the remaining defendants, the deadlines for both sides remained largely unchanged, and almost all of the defendants made their Paragraph 3 disclosures and Paragraph 4(b) productions on May 1 and May 7, 2012, respectively.

In addition, as was discussed at the March 6, 2012 Scheduling Conference, Defendants believe that CyberFone's asserted '060 patent is invalid under 35 U.S.C. § 101, and that summary judgment on the '060 patent would completely resolve 15 actions against 75 defendants, as well as simplify the 11-827-SLR action where the '060 patent is asserted against an additional 10 defendants.<sup>1</sup> As set forth in its March 8, 2012 Scheduling Order, the Court

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<sup>1</sup> A similar motion on the '024 patent asserted against twelve entities would also resolve the 11-832-SLR action and simplify the 11-827-SLR and 11-830-SLR actions.

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indicated it would “hear the defendants’ presentation on the invalidity of the asserted claims of U.S. Patent No. 6,019,060” at the upcoming status conference. (D.I. 154 at ¶2(b) in 11-827-SLR). Defendants would also welcome the opportunity to discuss other means to streamline and simplify the cases, such as the “early claim construction of dispositive limitations” referenced in footnote six of Your Honor’s April 30, 2012 Order (D.I. 183 in 11-827-SLR).

Respectfully,



Jack B. Blumenfeld

JBB/dlb

cc: Clerk of Court  
All Counsel of Record